

**THOMAS P. RILEY, SBN 194706
LAW OFFICES OF THOMAS P. RILEY, P.C.
One California Plaza
300 South Grand Avenue, Suite 2670
Los Angeles, CA 90071-3161**

Tel: 213-229-9292
Fax: 213-229-9295
TPRLA@att.net

**Attorneys for Plaintiff
Garden City Boxing Club, Inc.**

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Garden City Boxing Club, Inc.,

Plaintiff,

vs.

Eric Barneth Flores, et al.

CASE NO. CIV 05-00494 QWW TAG

**PLAINTIFF'S REQUEST FOR AN
ORDER EXTENDING TIME TO
COMPLETE SERVICE, AND ORDER**

Defendant.

**TO THE HONORABLE OLIVER W. WANGER, THE DEFENDANT, AND HIS
ATTORNEY/S OF RECORD:**

As of this date, Plaintiff has been unable to successfully serve its Complaint upon Defendant Eric Barneth Flores, individually and d/b/a Graddy's Night Club.

Wherefore, Plaintiff makes the following representations and recommendations:

1. On April 14, 2005, Plaintiff's Complaint was filed against Defendant (hereinafter referred to as "Defendant").

2. While service problems are by no means uncommon in this type of litigation, in many instances, Plaintiff's process service companies, or a specialized skiptracing firm is able to effectively skip trace a defendant in order that service may be properly effected.

PLAINTIFF'S REQUEST FOR AN ORDER EXTENDING TIME TO COMPLETE SERVICE, AND ORDER (Proposed)

1 3. As of this writing, Plaintiff believes, however, that the defendant has not left the area
2 and are still within this Court's jurisdiction. No other contrary information stating otherwise
3 has been sent to Plaintiff or its counsel.

4
5 **WHEREFORE**, Plaintiff respectfully requests that the Court permit an additional sixty days
6 (60) from today's date to effectuate service of the Summons and Complaint filed in this matter, or to
7 file a motion for service by publication, or in the alternative, a Notice of Voluntary Dismissal as to
8 each and every defendant where service has not been made or service by publication requested.

9
10 Respectfully submitted,

11
12 Date: July 5, 2005

13 _____
14 */s/ Thomas P. Riley*
15 **LAW OFFICES OF THOMAS P. RILEY, P.C.**
16 By: Thomas P. Riley, Esquire
17 Attorneys for Plaintiff
18 Garden City Boxing Club, Inc.
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**PLAINTIFF'S REQUEST FOR AN ORDER EXTENDING
TIME TO COMPLETE SERVICE, AND ORDER (Proposed)**

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1
2 **ORDER (Proposed)**
3

4 The Court, upon review of Plaintiff's request and representations presented in the above-entitled
5 matter hereby orders the following:

6 Plaintiff is granted an additional sixty (60) days from today's date to effectuate service of the
7 Summons and Complaint filed in this matter, or to file a motion for service by publication, or in the
8 alternative, a Notice of Voluntary Dismissal as to each and every defendant where service has not
9 been made or service by publication requested.

10 **IT IS SO ORDERED:**

11 /S/ OLIVER W. WANGER

12 July 8, 2005

13 Date: _____

14 **HONORABLE OLIVER W. WANGER**

15 United States District Court Judge
16 Eastern District of California

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**PLAINTIFF'S REQUEST FOR AN ORDER EXTENDING
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PROOF OF SERVICE (SERVICE BY MAIL)

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is One California Plaza, 300 South Grand Avenue, Suite 2670, Los Angeles, CA 90071. I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

On July 5, 2005, I served:

PLAINTIFF'S REQUEST FOR AN ORDER EXTENDING TIME TO COMPLETE SERVICE, AND ORDER (Proposed)

On all parties in said cause by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

Eric Barneth Flores (Defendant)
355 State Avenue
Shafer, CA 93263

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct and that this declaration was executed on July 5, 2005, at Los Angeles, California.

Dated: July 5, 2005

/s/ Inesa Mamidjanyan
INESA MAMIDJANYAN

PLAINTIFF'S REQUEST FOR AN ORDER EXTENDING TIME TO COMPLETE SERVICE, AND ORDER (Proposed)